

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

Return Date: August 15, 2019
Time: 10:00 a.m.

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In re:

CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK
RECEIVED - BROOKLYN

CAROLYN CORDELIA MILES
aka Carolyn Cordelia Brown

JUL 26 2019 PM04:38
Chapter 13
Case No.: 19-43692-608

Debtor

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RESPONSE TO NOTICE OF MOTION

To the Honorable Judge Carla E. Craig;

I Carolyn Cordelia Miles the Debtor in the above captioned bankruptcy proceeding, respectfully Object to the Motion filed by Trustee Michael Macco for the following relief, to have my case dismissed with prejudice.

In support of this objection, I hereby allege as follows:

Upon filing the first motion for Chapter 13 on April 9, 2019, I had just lost a family member and didn't realize the ramifications that it left for me. My Uncle who was responsible for his 84 year old mother died and the burden somehow was thrown to me. She lives in Snellville, GA and between the travel, my financial situation and many events that have to transpire to stabilize her situation, I have been overwhelmed.

The manner in which everything developed allowed me to believe at the second filing that I would be able to complete all the task required for the filing. I tried to retain legal counsel but was told that the payment would have to be in full since it was already filed.

I am currently at this minute filing what I have and promise on Monday the 29, of July to bring all the necessary papers. I would still need several weeks to pay the fees and would be able to be in Court on August 15th with the action completely prepared.

The automatic stay is not the reason for this filing at all. I went an entire year without employment and could not catch up.

I have no real benefit from the stay other than utilities and they are also eligible for Public Assistance if needed.

I have a foreclosure action in Richmond County Supreme Court, under filed #: 135415/2017, but

we haven't even went to the Discovery phase nor have I completed my motion or answer. I am a long way from benefitting from a stay there and furthermore, I did not know that action would fall under this bankruptcy on my first Chapter 13 filing. The property is under the Estate of my mother in which I am the heir. I was not aware it would be considered my debt.

There is not a grand amount of debt and the concerning debt is to my condominium which would be paid at 100% of the correct amount and my student loan which will also be paid at 100%. I did file for bankruptcy in 2007 under a Chapter 7 and was able to pull my life back together and I was hoping for the same this time with a Chapter 13 being able to pay all the pre debts.

Wherefore, I respectfully request that this Court enter an order denying the relief requested.

Dated: July 26, 2019

By: 

Carolyn Cordelia Miles
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